

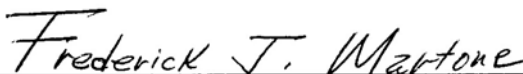
1 of the ALJ's decision. It is now almost two years since the Appeals Council denied review
2 and the Commissioner continues to indefinitely delay a final decision on plaintiff's
3 application for benefits, now in contemptuous disregard of our orders.

4 This case involves the denial of benefits during a closed period of disability
5 commencing July 13, 2006, and ending June 30, 2009. In a separate application for benefits,
6 plaintiff was found to be disabled as of July 1, 2009 and continuing.

7 Because the Commissioner has failed to comply with our deadlines on remand, we
8 now vacate the order remanding the case to the Commissioner. We consider the
9 Commissioner's request for remand and subsequent failure to comply with our orders a
10 confession of error with regard to its decision denying benefits during the closed period.
11 Accordingly, we reverse the decision of the Commissioner finding that plaintiff was not
12 disabled and remand this case for an immediate award of benefits during the closed period.

13 **IT IS ORDERED VACATING** the remand, **REVERSING** the Commissioner's
14 decision denying benefits, and **REMANDING** this case to the Commissioner pursuant to
15 sentence four of 42 U.S.C. § 405(g) for an immediate award of benefits during the closed
16 period commencing July 13, 2006, and ending June 30, 2009.

17 DATED this 3rd day of July, 2012.

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 Frederick J. Martone
21 United States District Judge
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